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June 1, 2009

Honorable Donovan W. Frank  
United States District Court  
724 Federal Building  
316 N. Robert Street  
St. Paul, MN 55101

Re: State of Minnesota v. CMI of Kentucky, et al.  
U.S.D.C. File No. 08-CV-603 (DWF/AJB)

Dear Judge Frank:

We are writing to apprise you that the State and CMI have reached a settlement in the above-referenced matter.

The settlement is contingent upon the Court's approval of a proposed Consent Judgment and Permanent Injunction. Attached is a copy of the settlement documents. We understand that a hearing on the proposed Consent Judgment and Permanent Injunction has been scheduled for June 11, 2009 at 1:00 p.m. The State and CMI will promptly file a formal motion for approval and entry of the proposed Consent Judgment and Permanent Injunction.

In light of this settlement, the State and CMI request that the Court stay consideration of the pending motions of the State and CMI in the above-referenced matter until the Court decides whether to approve the proposed Consent Judgment and Permanent Injunction.

FOR THE STATE OF MINNESOTA

s/ Alan I. Gilbert

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FOR CMI OF KENTUCKY, INC.

s/ William McNab  
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Enclosures

AG: #2451340-v1